

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)

Advanced Television Systems and)
Their Impact upon the Existing)
Television Broadcast Service)

MM Docket No. 87-268

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COMMENTS OF CALIFORNIA OREGON BROADCASTING, INC.

California Oregon Broadcasting, Inc. ("COBI") by its attorneys, hereby submits its comments in response to the Commission's Sixth Further Notice of Proposed Rule Making, released in the above-captioned proceeding on August 14, 1996.¹ COBI is a signatory to the Joint Comments submitted concurrently herewith by the Broadcasters' Caucus. It is expressing herein its separate views on points it believes are not adequately covered in the joint comments.

I. BACKGROUND

COBI is the licensee of three full power television broadcast stations (KOBH, Medford, Oregon; KOTI, Klamath

¹ FCC 96-317, released August 14, 1996 ("Sixth Further Notice").

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Falls, Oregon, and KEVU, Eugene, Oregon) and 37 television translator and low power television stations, which are used to enhance the coverage area of its Medford and Klamath Falls stations. In addition, COBI is the licensee of an LPTV station in Eugene, Oregon (K25AS/KLSR-LP), which itself is rebroadcast on six other LPTV and TV translator stations. (Attachment A is a listing of COBI's low power and translator stations.) As have all other television broadcasters, COBI has been closely following the Commission's digital television ("DTV") proceedings, and especially the channel allotment and assignment process articulated in the Sixth Further Notice. COBI also has been involved in the Broadcaster's Caucus process in its region in an attempt to correct what COBI views as an undesirable DTV channel assignment proposal for its stations in Medford (KOBI) and Klamath Falls (KOTI), Oregon.

The FCC's proposed DTV allotment table would assign Channel 40 to KOTI, (now on NTSC Channel 2) and Channel 42 to KOBI (now on NTSC Channel 5). The Caucus's modified DTV table would assign Channel 4 to KOTI and Channel 15 to KOBI. Because the Channel 42 and Channel 15 assignments for KOBI will result in a significant diminution in the coverage area of KOBI, COBI is compelled to submit these Comments in opposition to those channel assignments. For the same

reason, COBI opposes the Commission's proposed assignment of DTV Channel 40 for KOTI.

COBI wholeheartedly concurs with the view of the Broadcasters Caucus regarding the need for continued flexibility in the DTV channel assignment process to adjust to "real world" conditions encountered in individual situations. COBI submits that the Commission should use such a process to revisit the proposed channel allotments in the Sixth Further Notice.

II. THE DTV ASSIGNMENTS FOR KOB1 AND KOTI WOULD RESULT IN SUBSTANTIALLY LESS SERVICE TO THE PUBLIC.

The Commission's DTV assignment plans for KOB1 and KOTI, as well as the Caucus's revised proposal for KOTI, would result in substantially reduced service areas. Two factors contribute primarily to this result -- the shift from the VHF to the UHF band and the signal losses produced by vegetation and forestation throughout the KOB1 and KOTI service areas.

Attachment B hereto illustrates the first element of the problem in coverage maps depicting the interference free service area of KOB1 with its current NTSC Channel 5 and the substantially reduced service area of the Caucus-proposed DTV

Channel 15.² It is well documented that signal losses in rough terrain areas of the type in the KOB I service area (where there are significant mountains and valleys) are substantial for operations in the UHF band. The attached maps demonstrate that this effect has been underestimated in the Longley-Rice-based model used by the Commission and the Caucus.³

The reduced service that results from substitution of UHF channels for existing VHF channels, is greatly exacerbated by the propagation losses resulting from the nature of the environment in the highly forested, mountainous area in southwestern Oregon. Both the Commission's and the Broadcaster's Caucus computer models apparently ignore the effects of forestation on the attenuation of UHF signals, and especially those at the higher frequencies. This would especially disadvantage KOB I on the FCC-proposed Channel 42 in Medford, where all the other stations in the market would be operating on substantially lower frequencies (from 15 to 27). Similarly, in Klamath Falls, the FCC proposal for KOTI on

² A comparable terrain-limited service area depiction for the DTV operation on Channel 50, as proposed by the Commission, would not differ significantly.

³ COBI's existing use of 31 translators to fill in areas of poor signal, even operating on VHF Channel 5, is clear evidence of the rough terrain in the area the station seeks to serve.

Channel 40 would result in poor replication of the station's current service area.⁴

The Commission's allotment/assignment philosophy articulated in the Sixth Further Notice is one designed to permit stations, when transitioning to DTV, to "replicate" or "maintain the service areas of existing NTSC stations, thereby preserving viewer's access to off-the-air TV service and the ability of stations to reach the audience that they now serve." Although both the Commission and the Broadcaster's Caucus maintain that their proposed channel assignments generally achieve this objective, in the case of KOBH and KOTI, they fall significantly short of the mark.⁵

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- ⁴ COBH is in full accord with the Joint Comments in their opposition to the Channel 7-51 "core spectrum" proposal. It should be noted, however, that were the "core spectrum" proposal to be adopted, all other UHF stations in the Medford market would have the option of returning to their VHF NTSC channels for DTV operation, whereas KOTI's VHF channel would be unavailable.
- ⁵ The FCC table, on its face, reflects the shortfall. KOBH and KOTI would retain only 81.1% and 82.3%, respectively, of their current service areas (in markets where every other station is projected to retain 99.5-100% of their coverage). Even the Caucus proposal would not result in satisfactory replication of KOBH's coverage (86% as compared to 95-100% for the other stations in the market). COBH plans to further evaluate the effects of the substitution of UHF, particularly high UHF, channels at KOBH and KOTI and anticipates filing a supplemental statement during the reply comment phase of this proceeding.

In summary, in the mountainous terrain in which COBI operates its Medford and Klamath Falls stations, comparable service can only be obtained by channels in the same band with the resulting similar propagation characteristics. The terrain limitations are partially, but not adequately, predicted by the models used by the FCC and the Caucus. Moreover, propagation decreases additionally with wavelength, due to diffraction by mountain ridges and diffraction or absorption from forest vegetation. The ultimate DTV allotment table must take these factors more effectively into account.

III. Adjacent Channel Allotments to Consenting Licensees Should be Permitted.

It is well understood that the supply of potential DTV channels is limited. Therefore, COBI submits that there is no reason to limit adjacent channel assignments to the same licensee, as proposed by the Caucus in its comments. Interference can be minimized with the criteria of co-location of facilities. Common ownership should not be a requirement. The adoption of appropriate interference specifications, or the requirement for mutual consent of both licensees would protect the public and the broadcasters' common interest in non-interference. At a minimum, COBI proposes that assignment of adjacent NTSC and DTV channels be permitted where the licensees of both stations have agreed to

the assignment. This would enable KOB1 to operate on DTV Channel 7 in Medford with the consent of KSYS, the NTSC Channel 8 licensee, thus maintaining its operations in the VHF band where replication of its current service area is more attainable, notwithstanding the mountainous terrain.

IV. FLEXIBILITY IN ASSIGNING LPTV AND TV TRANSLATOR FACILITIES MUST BE MAINTAINED IN THE DTV ERA.

As noted above, COBI is the licensee of numerous LPTV and TV translators. A further, crippling penalty will be imposed on COBI unless the operation of its translators and low power stations is preserved during the DTV transition period and after. To the extent these facilities are required to cease operations, the Commission's goal of replicating NTSC coverage and maintaining service to the public will be frustrated.

CONCLUSION

COBI submits that the Commission's DTV allotment and assignment policies should be structured to correct channel assignments which will result in substantial decreases in service area. A model which accurately depicts propagation and potential interference in the "real world" environment, which includes trees that make upper band UHF channels even more unsatisfactory, must be used in designing the allotment table. As much flexibility as possible must be incorporated

into the allotment scheme, including allowing adjacent
channel NTSC/DTV assignments with the consent of both
licensees.

Respectfully submitted,

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ATTACHMENT A

(List of COBI LPTV and TV Translator Stations)

Attachment A

<u>CALL SIGN</u>	<u>STATION TYPE</u>	<u>LOCATION</u>	<u>STATION REBROADCAST</u>
K08AK	Translator	Port Orford, OR	KOBI (TV)
K13JQ	Translator	Bend/Empire, OR	KOBI (TV)
K02FT	Translator	Gold Hill, OR	KOBI (TV)
K07KT	Translator	Canyonville/ Riddle, OR	KOBI (TV)
K03EI	Translator	Tolo/Eagle Point, OR	KOBI (TV)
K07PS	Translator	Chemult-Crescent, OR	KOTI (TV)
K07PZ	Translator	Cave Junction, OR	KOBI (TV)
K13JR	Translator	Jacksonville, OR	KOBI (TV)
K07JT	Translator	Brookings, OR	KOBI (TV)
K25EN	Translator	Gold Beach, OR	KOBI (TV)
K13KO	Translator	Jacksonville, OR	KOBI (TV)
K35DL	Translator	Reedsport, OR	K25AS
K14GW	LPTV	Corvallis, OR	K25AS
K36BX	LPTV	Coos Bay, OR	KOBI (TV)
K30BN	LPTV	Coos Bay, OR	KOBI (TV)
K25AS	LPTV	Eugene, OR	K25AS
K34BV	Translator	Murphy/New Hope, OR	KOBI (TV)
K36CL	Translator	Merlin-Hugo, OR	KOBI (TV)
K39CL	LPTV	Yoncalla, OR	KOBI (TV)
K04ES	Translator	Klamath Falls, OR	KOTI (TV)

ATTACHMENT A (cont.)

<u>CALL SIGN</u>	<u>STATION TYPE</u>	<u>LOCATION</u>	<u>STATION REBROADCAST</u>
K38CP	LPTV	Grants Pass, OR	KOBI (TV)
K04ER	Translator	Applegate Valley, OR	KOBI (TV)
K65ER	LPTV	Eugene/ Springfield, OR	K25AS
K62BE	Translator	Midland, OR	KOTI (TV)
K06LS	Translator	Chiloquin, OR	KOTI (TV)
K04EY	Translator	Grants Pass, OR	KOBI (TV)
K07HS	Translator	Williams, OR	KOBI (TV)
K07DZ	Translator	Glendale/Azalea, OR	KOBI (TV)
K62DN	LPTV	Medford, OR	KOBI (TV)
K62DR	LPTV	Roseburg, OR	KOBI (TV)
K63DO	LPTV	Coos Bay, OR	K25AS
K04HE	Translator	Yreka/Montague, ca	KOBI (TV)
K13HU	Translator	Etna/Callahan, CA	KOBI (TV)
K25CF	Translator	Gasquet, CA	KOBI (TV)
K32DY	LPTV	Medford, OR	KOBI (TV)
K06GS	Translator	Beiber, CA	KOBI (TV)
K07NR	Translator	Lakeview, OR	KOBI (TV)
K11JM	Translator	Fall River Mills, CA	KOTI (TV)
K29AX	LPTV	Roseburg, OR	KOBI (TV)

ATTACHMENT A (cont.)

<u>CALL SIGN</u>	<u>STATION TYPE</u>	<u>LOCATION</u>	<u>STATION REBROADCAST</u>
K57EL	LPTV	Eugene, OR	KOBI (TV)
K22DS	LPTV	Crescent City, CA/ Brookings, OR	KOBI (TV)
K05ET	Translator	Likelyon, CA	KOTI (TV)
K20EN	LPTV	Yoncalla, OR	K25AS
K43DI	Translator	Canyonville, OR	K25AS

ATTACHMENT B

(Coverage Maps for KOBI, Medford, OR --
NTSC Channel 5 / DTV Channel 15)

TA Services
 FRED
 KOB1 NTSC
 17-Sep-96 17:23:30



Signal to Interference ratio

- ☐ No Interference
 Area: 49910. sq km
 Population: 408000.
 Households: 158000.
- ☐ Interference
 Area: 1590. sq km
 Population: 8000.
 Households: 2000.
- ☒ Signal below minimum
 Area: 71060. sq km
 Population: 472000.
 Households: 188000.

17-Sep-98 17:23:47



No Interference	Area: 28400 sq km
	Population: 304000
	Households: 118000
Interference	Area: 5110 sq km
	Population: 32000
	Households: 12000
Signal below minimum	Area: 89050 sq km
	Population: 550000
	Households: 218000